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Dated: November 5, 2009

Signed: Jennifer C. Black

PATENT

Attorney Docket No.: 101961-01-5142-US02  
Client Ref. No.: 7994.204-US  
(NEO00293US371)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

DeFrees et al.

Application No.: 10/579,621

Filed: February 21, 2007

For: Glycopegylated Erythropoietin

Customer No.: 43850

Confirmation Number: 9539

Examiner: GOON, Scarlett Y.

Art Unit: 1623

LETTER TO EXAMINER AND STATEMENT OF  
RELATEDNESS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In view of *Dayco Products Inc. v. Total Containment Inc.*, 66 USPQ2d 1801 (Fed. Cir. 2003) and *McKesson Information Solutions Inc. v. Bridge Medical Inc.*, 82 USPQ2d 1865 (Fed. Cir. 2007) and in satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and as required by M.P.E.P. § 2001.06(b), Applicants note that the present application is related to the following patent applications:

08/102,385; 08/215,727; 08/312,387; 08/446,875; 08/447,435; 08/447,783;  
08/478,140; 08/683,426; 08/683,458; 08/745,840; 08/878,360; 09/333,412; 09/338,943;  
09/855,320; 10/007,267; 10/096,129; 10/109,498; 10/198,806; 10/219,197; 10/287,994;  
10/360,770; 10/360,779; 10/391,035; 10/410,897; 10/410,913; 10/410,930; 10/410,945;  
10/410,962; 10/410,980; 10/410,997; 10/411,012; 10/411,037; 10/411,043; 10/411,049;  
10/485,892; 10/492,261; 10/497,283; 10/549,520; 10/552,896; 10/609,701; 10/654,528;  
10/997,405; 11/033,365; 11/102,497; 11/166,028; 11/183,205; 11/183,218; 11/339,752;

Appl. No. 10/579,621

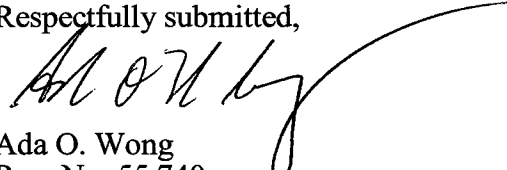
11/404,266; 11/659,153; 11/664,199; 11/845,175; 11/917,772; 12/060,383; 12/066,619;  
12/302,167; 12/371,156; and 12/439,221.

Further in view of *Larson Mfg. Co. v. Aluminart Products Ltd.* No. 2008-1096, -  
1174 (Fed. Cir. March 18, 2009), courtesy copies of the Office Actions received by applicants  
and/or their representatives as of the date of submission of this document in the abovementioned  
copending applications and other related applications are attached unless previously submitted.

However, the Examiner is encouraged to review the art made of record, any  
Office Action, and any Notice of Allowance in the above-mentioned related application.  
Applicants assume that due to the ease of review on PAIR by the Examiner, Applicant need not  
submit copies of the individual Office Actions and/or Notices of Allowance. With respect to any  
copending applications listed above, Applicants assume that the Examiner is aware that  
prosecution is ongoing in said cases, and that the Examiner will continue to evaluate these cases  
as needed.

Applicant believes that no fee is required for submission of this statement.  
However, if a fee is required, the Commissioner is authorized to deduct such fee from the  
undersigned's Deposit Account No. 50-0310. Please deduct any additional fees from, or credit  
any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Ada O. Wong  
Reg. No. 55,740

*Filed under 37 CFR 1.34*

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